

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-35-C - ORDER NO. 2002-392
MAY 23, 2002

IN RE: BellSouth Telecommunications, Inc.,)	ORDER GRANTING
)	MOTION TO DISMISS
Complainant,)	
)	
vs.)	
)	
Alltel Communications, Inc.,)	
)	
Respondent.)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Motion to Dismiss with prejudice filed January 30, 2002 by BellSouth Telecommunications, Inc. ("BellSouth") its Complaint against Alltel Communications, Inc. ("Alltel").

The instant docket was initiated by a Complaint filed on January 30, 2002, by BellSouth against Alltel. In its Complaint, BellSouth alleged that Alltel owed BellSouth sums for access services during the period between October, 1999 and December, 2001. BellSouth filed its Complaint and requested a determination against Alltel for payment to BellSouth of the alleged sums due and all applicable late-payment charges.

Alltel subsequently filed a Request for Extension for filing its Answer to BellSouth's Complaint, and Alltel filed its Answer on April 22, 2002, the due date of the extension granted by the Commission. Alltel stated in both its Request for Extension and

Answer that the parties were very close to an agreement which would resolve the claim asserted by Bellsouth in this Docket.

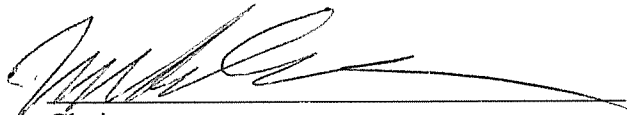
On May 13, 2002, BellSouth filed its Motion to Dismiss stating that the parties had settled all claims connected with the matters alleged in BellSouth's Complaint by Settlement Agreement and Release dated April 22, 2002, and BellSouth moves to dismiss with prejudice its Complaint dated January 30, 2002.

As BellSouth, the Complainant in this matter, has requested the dismissal of the instant action, the Commission finds and concludes that the Motion to Dismiss should be granted and, further, that the dismissal of this action be with prejudice.


IT IS THEREFORE ORDERED THAT:

1. The Motion to Dismiss filed by BellSouth Telecommunications, Inc. is hereby granted.
2. The dismissal of the instant action is with prejudice
3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)